

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

United States of America

v.

Sherwin Birkett

Date of Original Judgment: 7/28/1992

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Case No: CR-90-1063-24(FB)USM No: 21345-077

Royce Russell, 112 W 34 St., 18th Fl., NY, NY 10120

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(1)(A)(i)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(1)(A)(i) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of LIFE months is reduced to 480 months.

(Complete Parts I and II of Page 2 when motion is granted)

The defendant shall serve four hundred and eighty (480) months on counts 1 and one hundred and eighty (180) months on count 4. The sentence imposed of each count shall run concurrently to each other for a total term of four hundred and eighty (480) months or 40 years. The term of supervised release imposed remains unchanged.

Except as otherwise provided, all provisions of the judgment _____ shall remain in effect.

IT IS SO ORDERED.

Order Date: June 29, 2023

/s/ FREDERIC BLOCK

Judge's signature

Effective Date: _____

(if different from order date)

Frederic Block, U.S.D.J.

Printed name and title